

**Date:** January 14, 2011

**To:** Thomas J. Bonfield, City Manager  
**Thru:** Theodore L. Voorhees, Deputy City Manager  
**From:** Jose L. Lopez, Sr., Chief of Police  
**Subject:** 2011 Fugitive Apprehension Task Force Grant

### **Executive Summary**

The United States Marshals Service (USMS) has issued the FY 2011 Fugitive Apprehension Task Force Memorandum of Understanding. This agreement will be used to reimburse the Durham Police Department for overtime costs that are in direct support of the Marshals Service district fugitive apprehension task forces. The USMS will reimburse the Durham Police Department for overtime expenses incurred associated with the Fugitive Apprehension Task Force not to exceed \$15,000.00, with a matching funds requirement of \$3,638.00. The City Council has approved the FY 2011 Police Department's general fund budget, which includes an appropriation of \$3,638.00 for the local match.

### **Recommendation**

1. To authorize the City Manager to accept the MOU with the United States Marshals Services for the "FY 2011 Fugitive Apprehension Task Force Agreement" Grant by executing the grant documents; and
2. To adopt the City of Durham and the United States Marshals Services "2011 Fugitive Apprehension Task Force" Grant Project Ordinance in the amount of \$18,638.00.

### **Background**

The Presidential Threat Protection Act of 2000 provides that, "the Attorney General shall, upon consultation with appropriate Department of Justice and Department of the Treasury law enforcement components, establish permanent Fugitive Apprehension Task Forces consisting of Federal, State, and local law enforcement authorities in designated regions of the United States, to be directed and coordinated by the US Marshals Service, for the purpose of locating and apprehending fugitives." This Memorandum of Understanding will be entered into by the Durham Police Department and the US Marshals Service pursuant to the Presidential Threat Protection Act of 2000.

### **Issues/Analysis**

The main issue is whether to execute the MOU between the US Marshals Service and the Durham Police Department in order to receive reimbursement for overtime costs associated with the USMS fugitive task forces. The Durham Police Department currently has investigators involved with the USMS fugitive apprehension task forces and is using general funds to support their activities. By executing this MOU the Police Department can receive

reimbursement for some overtime costs associated with this activity and use the freed funding for other purposes. Because this is not a grant, there are no issues involving supplanting.

**Alternatives**

The US Marshal Service has made the funding available to the City of Durham in support of the Presidential Threat Protection Act of 2000. The alternative would be to deny this motion and continue to support all USMS fugitive apprehension task force investigators' activities through the general fund.

**Financial Impact**

The City Council has approved the FY 2010 Police Department's general fund budget that appropriates the \$3,638.00 required local match. There will be no further financial impact on the City of Durham's general fund by accepting this award. The appropriation is as follows:

2011 Fugitive Apprehension Task Force Grant	\$18,638.00
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**SDBE Summary**

This item does not require review by the office of Equal Opportunity/Equity Assurance.